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Compilation on Liechtenstein

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1][2]

2. The Human Rights Committee welcomed the ratification in 2017 by Liechtenstein of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. The Committee on Economic, Social and Cultural Rights and the Committee against Torture welcomed the ratification in 2013 by Liechtenstein of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.[3]

3. The Committee against Torture, the Committee on Economic, Social and Cultural Rights and the Human Rights Committee invited Liechtenstein to consider ratifying the Convention on the Rights of Persons with Disabilities. The Committee against Torture and the Committee on Economic, Social and Cultural Rights also recommended that it consider ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the Committee against Torture further invited Liechtenstein to consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance.[4]

4. The Human Rights Committee welcomed the withdrawal in 2009 by Liechtenstein of its reservation to article 24 (3) of the International Covenant on Civil and Political Rights, but noted that it continued to maintain reservations to important aspects of articles 14, 17 and 26 of the Covenant. The Committee considered those reservations unnecessary and recommended that Liechtenstein consider withdrawing them. It also recommended that

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it withdraw the declaration under article 3 of the Covenant regarding the constitutional rule on hereditary succession to the throne.[5]

5. The United Nations Educational, Scientific and Cultural Organization (UNESCO) noted that, since Liechtenstein was not a member State, it had not submitted its national report on the implementation of the recommendation on the status of scientific researchers for the second consultation covering the period 2013-2016.[6] It therefore encouraged Liechtenstein to report on any legislative or other steps it had undertaken to ensure the application of that international standard-setting instrument in line with the online monitoring questionnaire.[7]

6. The Office of the United Nations High Commissioner for Refugees (UNHCR) noted that Liechtenstein had signed in 2016 the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention).[8]

7. Liechtenstein had contributed financially to the Office of the United Nations High Commissioner for Human Rights (OHCHR) since 2012, including to the United Nations Voluntary Fund for Victims of Torture.[9]

III. National human rights framework[10]

8. The Human Rights Committee and the Committee on Economic, Social and Cultural Rights commended the enactment of legislation to set up a national human rights institution (the Human Rights Association) but were concerned that the financial resources allocated to it by the State party may not be sufficient to allow it to execute successfully its broad mandate. The Committees recommended that Liechtenstein ensure that the Association enjoy a broad mandate to promote and protect human rights, including economic, social and cultural rights, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and provide it with adequate financial and human resources. In that regard, the Committee on Economic, Social and Cultural Rights encouraged Liechtenstein in due course to seek the accreditation of the Association by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions.[11]

9. The Committee against Torture reiterated its previous recommendation that Liechtenstein incorporate into its domestic criminal law a distinct crime of torture in conformity with article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and ensure that offences that amounted to acts of torture carried penalties commensurate with the gravity of the crime. It also recommended that it ensure that, in the next revision of the Criminal Code, acts amounting to torture were not subject to any statute of limitations.[12]

10. The Committee was concerned at the absence of specific training of law enforcement personnel and other public officials involved in work with persons deprived of their liberty, asylum seekers and migrants on the prohibition against torture and other cruel, inhuman or degrading treatment or punishment. It was also concerned at the lack of training of medical doctors and other medical personnel on the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol) and at the absence of specific methodologies to evaluate the effectiveness and impact of the training provided. The Committee recommended that Liechtenstein ensure that law enforcement personnel and other public officials involved in work with persons deprived of their liberty, asylum seekers and migrants received training on the prohibition against torture, and that the Istanbul Protocol was made an essential part of the training, in particular, for all medical professionals. It also recommended that it develop and implement specific methodologies to assess the effectiveness and impact of such training.[13]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination[14]

11. The Human Rights Committee and the Committee on Economic, Social and Cultural Rights noted the amendment to article 283 of the Criminal Code, which broadened the list of prohibited grounds of discrimination, and regretted the absence of comprehensive anti-discrimination legislation in Liechtenstein. In that regard, they recommended that it adopt comprehensive anti-discrimination legislation that included all prohibited grounds for discrimination, covered direct as well as indirect discrimination and provided for the implementation of temporary special measures and remedies for victims, and ensure its systemic application.[15]

12. While noting the measures Liechtenstein had taken to improve gender equality, the Human Rights Committee observed with concern that it had made a declaration to the effect that it did not interpret the provisions of article 3 of the Covenant as constituting an impediment to the constitutional rules on the hereditary succession to the throne of the Reigning Prince, which was governed by a special autonomous law. The Committee echoed the concerns of the Committee on the Elimination of Discrimination against Women in its 2011 concluding observations (CEDAW/C/LIE/CO/4) that the declaration may have a potentially negative impact on the perceived commitment of the State party to the general equality framework.[16]

13. UNESCO noted that the Act on Children and Youth (2009) protected children and young persons from discrimination based on sexism, racism, political radicalization or violence.[17]

14. UNESCO also noted that, during the previous review cycle, it had been recommended that Liechtenstein take additional steps regarding gender equality and diversity programmes in order to promote ethnic and religious tolerance in education and combat gender-based violence, including through educational measures. It noted that no specific action had been taken in those areas, and encouraged Liechtenstein to adopt measures to promote gender equality, diversity and non-discrimination in education.[18]

2. Development, the environment, and business and human rights[19]

15. The Committee on Economic, Social and Cultural Rights commended the efforts of Liechtenstein to combat corruption, strive for transparency and avoid tax evasion schemes on an international scale. However, it was concerned about the potential impact of private foundations based in Liechtenstein on those efforts, and on the ability of other States to meet their obligations to mobilize the maximum available resources for the implementation of economic, social and cultural rights. The Committee recommended that Liechtenstein continue to strengthen those measures, including by ensuring that private foundations were subject to the necessary regulations, in order to contribute to the efforts of other States in combating tax evasion and tax abuse schemes.[20]

16. The Committee recommended that Liechtenstein increase progressively the level of its contribution to official development assistance, with a view to achieving the international commitment of 0.7 per cent of its gross national income, and that it incorporate fully the rights contained in the Covenant in its development cooperation policy, including a human rights impact assessment.[21]

B. Civil and political rights

1. Right to life, liberty and security of person[22]

17. The Committee against Torture commended Liechtenstein for the absence of records of allegations of torture since its accession to the Convention against Torture and for its stated strategy of zero tolerance of torture.[23] The Committee was concerned, however, that interrogations by police after arrest were not automatically audio and video recorded but were recorded only in specific cases stipulated by law, such as in cases of interrogation of minors as victims of sexual offences or when the detained person was not cooperating or showed signs of agitation, and at the express request of the detained person.[24]

18. The Committee was concerned at the shortage of space in the national prison, which had a negative impact on the work and leisure activities of prisoners. It recommended that Liechtenstein find a solution to guarantee work and leisure activities of prisoners to facilitate their return to social life.[25]

19. While taking note of the arrangements for the separation of men and women, and juveniles and adults, the Committee remained concerned that there was no separation in the national prison between convicted prisoners and persons detained on remand, and reiterated its recommendation that Liechtenstein enhance its efforts to ensure proper separation of those detained in the prison.[26]

20. The Human Rights Committee welcomed the re-evaluation of the correctional system, and recognized the challenges Liechtenstein faced with regard to the size of the national prison and the need for an agreement with neighbouring countries to house detainees serving longer sentences. However, it noted with concern that relying on another State's correctional system meant in practice that Liechtenstein lacked the means to oversee the living conditions of its longer-term detainees. The Committee recommended that Liechtenstein consider reviewing the existing legislative framework governing detention abroad, to include a provision allowing its authorities and its national preventive mechanism to visit detainees held abroad.[27]

21. The Committee welcomed the establishment of the Corrections Commission, which also served as the national preventive mechanism under the Optional Protocol to the Convention against Torture, and also welcomed work undertaken by the Ministry of Home Affairs, Justice and Economic Affairs to include in the Criminal Code a definition of torture that was compliant with international standards. It recommended that Liechtenstein begin the consultation and decision-making processes regarding the revision of its Criminal Code; enact a prohibition on torture that was compliant with article 7 of the International Covenant on Civil and Political Rights and internationally recognized standards, including the removal of any statute of limitations on the prosecution of such crimes; ensure that there was an independent mechanism within the normal legal system, but separate from the police, to investigate allegations of torture and ill-treatment; and ensure that the law adequately provided for the prosecution and conviction of perpetrators and accomplices of such acts, in accordance with the gravity of the acts, before ordinary criminal courts, as well as for remedies for victims and their families, including rehabilitation and compensation.[28]

2. Fundamental freedoms and the right to participate in public and political life[29]

22. The Committee on the Elimination of Discrimination against Women recommended that Liechtenstein adopt temporary special measures, such as statutory quota, a gender parity system for nominations for government bodies and conditioning the financing of political parties on equal representation of women in their internal bodies and on candidate lists, to increase the representation of women in decision-making positions in elected and appointed political bodies.[30]

23. The Human Rights Committee welcomed the considerable efforts undertaken by Liechtenstein to reorganize the relationship between the State and religious communities in order to ensure equality of treatment of all religious denominations. However, it remained concerned at the inability to reach an agreement within the two outstanding municipalities

in order to amend the Constitution and the effect that that impasse had on religious communities other than the Catholic denomination. It recommended that Liechtenstein redouble its efforts to reach an agreement within those two municipalities in order to amend the Constitution; ensure funding was provided to religious organizations of all religious communities on a basis of equality and that such funding was not limited to efforts aimed at the integration of minority communities; and ensure the criteria for the recognition of religions guaranteed the freedom of religion and belief and freedom to manifest a religion or belief either individually or in community with others, in public or in private, in worship, observance, practice or teaching.[31]

24. UNESCO noted that the Constitution of Liechtenstein provided for freedom of expression under article 40, but that defamation remained criminalized under the Criminal Code and punishable by up to three years in prison for offences considered libellous. It encouraged Liechtenstein to decriminalize defamation and make it part of the Civil Code in accordance with international standards.[32]

3. Prohibition of all forms of slavery[33]

25. The Committee against Torture was concerned that the vulnerability of asylum-seeking women and girls and female migrants may be overlooked and that they may risk becoming victims of trafficking. It recommended that Liechtenstein ensure a gender-sensitive asylum procedure that responded to the specific protection needs of women and girls who were or may become victims of trafficking. It also recommended that Liechtenstein provide training to police and immigration officers on identifying and dealing with victims of trafficking and gender-specific violence.[34]

4. Right to privacy and family life[35]

26. The Committee on Economic, Social and Cultural Rights noted the current case-by-case approach of the migration authority, and recommended that Liechtenstein review the requirements for family reunifications by all non-nationals, repeal any requirement that may have the effect of indirect discrimination based on ethnicity, nationality or language, prioritize family reunification over knowledge of the German language prior to arriving in Liechtenstein, and continue to explore ways to facilitate the integration of non-nationals and their families, once reunified, in Liechtenstein.[36]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work[37]

27. The Committee on Economic, Social and Cultural Rights was concerned about the limited progress made in closing the gender wage gap in Liechtenstein, which further increased with age. It was also concerned at the overrepresentation of women in part-time jobs or in lower-paid sectors and at the persistence of occupational segregation by sex. It recommended that Liechtenstein promote training for women in non-traditional fields and in areas that would provide them with equal career opportunities, and take other effective measures to address occupational and industrial segregation by sex; take appropriate measures to eliminate gender role stereotypes and promote the equal sharing of responsibilities between men and women in the family and society, including by strengthening the availability and affordability of childcare services and by providing paternity leave and paid parental leave; and strengthen its measures to promote flexible work arrangements for both women and men in the private and public sectors.[38]

2. Right to social security[39]

28. While noting recent legislative changes, the Committee on Economic, Social and Cultural Rights remained concerned about limitations on gaining access to social assistance benefits by non-nationals, since their permanent residency status could still be made dependent on the extent of their reliance on such benefits. It recommended that Liechtenstein ensure that permanent residents could fully enjoy their right to social security without fear of losing their residency status due to their dependence on social assistance. To

that end, it also recommended that it introduce the necessary amendments to articles 49 and 69 of the Foreigners Act.[40]

3. Right to an adequate standard of living[41]

29. The Committee regretted that statistical data and other sources of information on unemployment were not disaggregated by disability or national origin. While noting the low unemployment rate, it expressed its concern at the relatively higher unemployment rates among young people, non-nationals and women, especially those belonging to minorities. It recommended that Liechtenstein collect statistical data on unemployment disaggregated by national origin, disability, sex and age. It also recommended that Liechtenstein intensify its efforts to reduce unemployment rates, while paying particular attention to the above-mentioned groups.[42]

4. Right to health[43]

30. The Committee on Economic, Social and Cultural Rights noted with appreciation the efforts by Liechtenstein to combat the abuse of drugs, tobacco and alcohol, but despite the positive results of various measures taken remained concerned that the consumption of illicit drugs had increased. It recommended that Liechtenstein continue to conduct awareness-raising programmes about the serious health risks associated with drug abuse, strengthen its efforts to reduce the risks associated with drug consumption and provide appropriate health care, psychological support services and rehabilitation to drug users in need of such services.[44]

31. While taking note of the size and holding capacity of the national prison, the Committee against Torture was concerned at the continued absence of a full-time nurse or other medical personnel there. It was also concerned that prison staff continued to distribute medicines to persons deprived of their liberty. The Committee recommended that Liechtenstein consider the appointment of a nurse or other medical personnel in order to preserve medical confidentiality, convey requests of detainees to have a medical examination, control stocks and ensure that medicines were provided only by qualified medical staff, in accordance with international standards. It also recommended that all persons arriving in a penitentiary institution be examined by an independent medical doctor within 24 hours of arrival.[45]

32. The Human Rights Committee welcomed the statement by Liechtenstein that the criminal provisions concerning abortion had not been enforced in practice, and also welcomed the revision of the Criminal Code pertaining to the decriminalization of women seeking abortions. However, it remained concerned about the restrictive circumstances in which termination of pregnancy was permitted by law and particularly the fact that no exception existed in cases of fatal fetal impairment. The Committee recommended that Liechtenstein amend its legislation on abortion with a view to providing for additional exceptions to the legal ban on abortion, including cases of fatal fetal impairment, in order to ensure that the life and health of women was adequately protected; and that it ensure access to clear information on options for voluntarily terminating a pregnancy.[46]

5. Right to education[47]

33. UNESCO noted that very little reference could be found regarding the legal coverage of the right to education within the national legal framework, and that neither the Constitution nor the School Act explicitly recognized the right to education. It recommended that Liechtenstein enshrine the right to education in its national legal framework, in the Constitution and School Act. It recalled that it had been recommended in the last review cycle that Liechtenstein take additional steps regarding gender equality and diversity programmes, to promote ethnic and religious tolerance in education and to combat gender-based violence, including through educational measures. However, to the knowledge of UNESCO, no specific action had been taken in those areas by Liechtenstein, which it observed could be further encouraged to adopt measures to promote gender equality, diversity and non-discrimination in education.[48]

34. The Committee on Economic, Social and Cultural Rights remained concerned at the underrepresentation of pupils of migrant backgrounds at the higher levels of secondary school. While noting that Liechtenstein had started inclusive schooling for children with disabilities, it was concerned that some children with disabilities remained in special schools. It recommended that Liechtenstein address the underrepresentation of children of migrant backgrounds at the higher levels of secondary school and review the classification criteria for assigning pupils to different education tracks, including by raising the cut-off age for pupils; continue to strengthen existing educational programmes aimed at integrating children of migrant backgrounds; and promote inclusive education for all children with disabilities, including by allocating resources for the provision of reasonable accommodation and additional professional training for teachers.[49]

D. Rights of specific persons or groups

1. Women[50]

35. The Committee on Economic, Social and Cultural Rights was concerned about the absence of a specific mechanism for the promotion of gender equality. It also noted with concern that traditional gender roles and stereotypes of women and men in the family and society persisted and the low representation of women in political and decision-making positions. It recommended that Liechtenstein continue to implement gender equality legislation and establish an effective monitoring and evaluation mechanism to ensure that the process was assessed against a clear set of indicators and put in place; effectively implement a comprehensive policy with proactive and sustained measures to overcome stereotypical attitudes about the roles and responsibilities of women and men in the family and in society; and monitor the impact of the measures taken on the perception of gender roles by society.[51]

36. While taking note with appreciation of the amendments by Liechtenstein to its criminal and sexual criminal law and the decrease in the incidence of domestic violence, the Committee against Torture was concerned that no plan had been established in follow-up to the National Action Plan on Violence against Women that had been adopted in 2006. The Committee recommended that Liechtenstein adopt a new plan in follow-up to the National Action Plan.[52]

37. The Human Rights Committee commended the work that had been carried out by Liechtenstein towards giving full effect to the Istanbul Protocol and noted that minor adjustments to domestic legislation were needed before implementation. It recommended that Liechtenstein implement the Istanbul Protocol and amendments to the relevant provisions of the Criminal Code as soon as possible; and ensure that law enforcement personnel, judges, lawyers and prosecutors received training on the investigation of torture and ill-treatment by integrating the Istanbul Protocol in all training programmes.[53]

38. The Committee noted with concern the downward trend in female representation in the political sphere in national and municipal elections since 2009.[54]

2. Persons with disabilities[55]

39. While noting that Liechtenstein had made progress in promoting the rights of persons with disabilities, the Human Rights Committee was concerned that persons with disabilities still faced challenges in obtaining access to justice, education, employment and political participation, and was concerned by the permissible distinctions allowed under current legislation regarding wages. It recommended that Liechtenstein take appropriate measures to ensure that persons with disabilities were not discriminated against in the enjoyment of their rights.[56]

40. The Committee on Economic, Social and Cultural Rights was concerned that the concept of reasonable accommodation was not incorporated into relevant legislation, which may contribute to de facto discrimination against persons with disabilities.[57] In that regard, the Human Rights Committee recommended that Liechtenstein make the denial of reasonable accommodations for persons with disabilities a form of discrimination within its

existing indirect discrimination provisions and ensure that the definition of "disproportionate burden" in relation to employers' obligations was understood and implemented restrictively.[58]

3. Migrants, refugees, asylum seekers and internally displaced persons[59]

41. The Committee on Economic, Social and Cultural Rights was concerned that decisions to approve requests for family reunification by third country nationals from neither Switzerland nor the European Economic Area were reliant on having a spouse who wished to move to Liechtenstein providing evidence of a basic knowledge of the German language, which may have a disproportionate impact on applicants whose spouses or dependent adults were non-German-speaking and unable to gain access to German language training because of financial or other constraints.[60]

42. The Human Rights Committee was cognizant of the pressures Liechtenstein faced owing to significant immigration relative to its size. While it welcomed the introduction of measures to encourage the integration of foreign nationals, it remained concerned about the issue of the cancellation of the residence permits of those who were reliant on social benefits above a certain threshold unless they had lived continuously in the State party for 15 years or more. It recommended that Liechtenstein take the measures necessary to ensure that provisions on the withdrawal of residence permits of those reliant on social benefits who had lived there for less than 15 years did not unfairly impact those in genuine need or put vulnerable persons at even greater risk.[61]

43. UNHCR was concerned at some of the new inadmissibility grounds introduced by the amendments to the Asylum Act, for example that an asylum claim could be declared inadmissible if an asylum seeker showed by his or her behaviour that he or she was unwilling or unable to integrate (art. 20 (1) (g) of the Asylum Act).[62] In addition, restrictions in the legal aid system and the limited cognition of the Administrative Court (second instance authority) could lead to unjustified restrictions to the right to an effective remedy.[63] UNHCR recommended that Liechtenstein ensure that exclusion from refugee status was limited in law and in practice to the reasons exhaustively laid down in the 1951 Convention relating to the Status of Refugees, and ensure that asylum seekers had full access to an effective remedy against the first instance decision on their asylum claim.[64]

44. The Committee on the Elimination of Discrimination against Women recommended that Liechtenstein apply a standard procedure to identify victims of sexual or gender-based violence when considering the admissibility of asylum applications on formal grounds or the return of applicants, and ensure that international protection needs were determined comprehensively, including by recognizing refugee claims on the basis of sexual or gender-based violence and by taking into account the factual situation of asylum-seeking women and girls in their countries of origin.[65]

45. UNHCR welcomed the resettlement by Liechtenstein of six Syrian refugee families between 2014 and 2016 under the European Union relocation scheme, and it noted that it had decided to relocate from Greece and Italy 43 persons, of whom the first 10 had arrived in January 2017.[66]

46. UNHCR was concerned about the restrictive application of the 1951 Convention relating to the Status of Refugees in terms of the definition of "refugee", in that persons with a valid *sur place* claim were only granted a provisional admission status with limited recognized rights,[67] whereas persons fleeing conflict and generalized violence were not recognized as refugees and not granted a subsidiary protection status. Their asylum claims were rejected by the asylum authorities and they received an expulsion order, which was then suspended because their expulsions were declared "unreasonable" owing to the existing conflict and violence. UNHCR recommended that Liechtenstein amend the Asylum and Foreign Nationals Act and relevant regulations thereto; ensure that *sur place* refugees were granted asylum and enjoyed the status according to the Convention; apply the Convention inclusively in accordance with current international standards, including with respect to persons fleeing persecution in the context of conflict and violence; and introduce a subsidiary protection status, with rights equivalent to those of refugees, for

individuals in need of international protection who fell outside the scope of the Convention.[68]

47. UNHCR noted that family reunification for refugees was restricted to spouses and minor children (Asylum Act, art. 39). Persons admitted on a provisional basis could only apply for family reunification after a three-year waiting period, and only if they fulfilled additional requirements, for example, independence from social welfare benefits (Regulation to the Asylum Act, art. 23). Asylum seekers had no right to be reunified with their family. UNHCR recommended that Liechtenstein ensure that all persons in need of international protection were afforded effective access to family reunification by amending the Asylum and Foreign Nationals Act and its Regulations and by removing administrative obstacles.[69]

48. The Committee against Torture was concerned that victims of sexual or other forms of gender-based violence could, in practice, be overlooked during the refugee status determination procedures. It recommended that Liechtenstein ensure that a gender-sensitive approach was applied during the refugee status determination procedure that enabled victims of sexual or gender-based violence to be identified.[70]

4. Stateless persons

49. UNHCR noted that there was no facilitated naturalization for refugees and stateless persons, as required by article 34 of the 1951 Convention relating to the Status of Refugees and article 32 of the 1954 Convention relating to the Status of Stateless Persons, that the naturalization eligibility requirements for refugees were the same as for other foreigners and that the same concerns arose with respect to adult stateless persons. It also noted that the Citizenship Act contained provisions to reduce childhood statelessness, but that safeguards fell short of the obligations of Liechtenstein under the 1961 Convention on the Reduction of Statelessness, and that the naturalization of persons born in the State party who would otherwise be stateless was, for example, conditional on lawful residence (Citizenship Act, arts. 5b (1) (b) and 4e) and various requirements relating to the person's financial situation and behaviour, including his or her criminal history (art. 4b). UNHCR recommended that Liechtenstein establish a facilitated naturalization process for refugees and stateless persons in accordance with the 1951 and the 1954 Conventions, and grant nationality automatically to children born in Liechtenstein who would otherwise be stateless in accordance with the principle of the best interests of the child.[71]

Notes

[1] Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Liechtenstein will be available at www.ohchr.org/EN/Countries/ENACARegion/Pages/LIIndex.aspx.

[2] For relevant recommendations, see A/HRC/23/14, paras. 94.1-94.18 and 94.31.

[3] See CCPR/C/LIE/CO/2, para. 4; E/C.12/LIE/CO/2-3, para. 3; and CAT/C/LIE/CO/4, para. 8.

[4] See CAT/C/LIE/CO/4, para. 29; CCPR/C/LIE/CO/2, para. 18; and E/C.12/LIE/CO/2-3, paras. 33-34.

[5] See CCPR/C/LIE/CO/2, paras. 9-10 and 14.

[6] UNESCO submission for the universal periodic review of Liechtenstein, p. 3. See also http://on.unesco.org/2hL0xGz.

[7] See UNESCO submission, pp. 3-4. See also http://unesdoc.unesco.org/images/0024/002468/246830E.pdf.

[8] UNHCR submission for the universal periodic review of Liechtenstein, p. 2.

[9] See tables of contributions in *OHCHR Report 2012*, pp. 117 and 121; *OHCHR Report 2013*, pp. 131 and 135; *OHCHR Report 2014*, pp. 63 and 67; *OHCHR Report 2015*, pp. 61 and 65; and *OHCHR Report 2016*, pp. 79, 83 and 86.

[10] For relevant recommendations, see A/HRC/23/14, paras. 94.19-94.30, 94.51-94.53 and 94.61.

[11] See E/C.12/LIE/CO/2-3, paras. 5-6, and CCPR/C/LIE/CO/2, paras. 7-8.

[12] See CAT/C/LIE/CO/4, para. 11.

[13] Ibid., paras. 26-27.

[14] For relevant recommendations, see A/HRC/23/14, paras. 94.32-94.35, 94.49, 94.54-94.60, 94.62-94.63 and 94.69-94.70.

[15] See E/C.12/LIE/CO/2-3, paras. 11-12, and CCPR/C/LIE/CO/2, paras. 11-12.

[16] See CCPR/C/LIE/CO/2, para. 13.
[17] UNESCO submission, p. 1.
[18] Ibid., p. 3. See also A/HRC/23/14, para. 94.49 (Azerbaijan).
[19] For relevant recommendations, see A/HRC/23/14, paras. 94.83-94.85.
[20] See E/C.12/LIE/CO/2-3, paras. 9-10.
[21] Ibid., paras. 7-8.
[22] For the relevant recommendation, see A/HRC/23/14, para. 94.31.
[23] See CAT/C/LIE/CO/4, para. 4.
[24] Ibid., para. 12.
[25] Ibid., paras. 16-17.
[26] Ibid., paras. 18-19.
[27] See CCPR/C/LIE/CO/2, paras. 23-24.
[28] Ibid., paras. 29-30.
[29] For the relevant recommendation, see, A/HRC/23/14, para. 94.64.
[30] See follow-up letter dated 10 September 2014 from the Committee on the Elimination of Discrimination against Women to the Permanent Representative of Liechtenstein to the United Nations, available from: http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/LIE/INT_CEDAW_FUL_LIE_18182_E.pdf.
[31] See CCPR/C/LIE/CO/2, paras. 27-28.
[32] UNESCO submission, pp. 2-3. See also www.wipo.int/wipolex/en/details.jsp?id=10157.
[33] For relevant recommendations, see A/HRC/23/14, paras. 94.73-94.78.
[34] See CAT/C/LIE/CO/4, paras. 22-23.
[35] For relevant recommendations, see A/HRC/23/14, paras. 94.65-94.69.
[36] See E/C.12/LIE/CO/2-3, paras. 26-27.
[37] For the relevant recommendation, see A/HRC/23/14, para. 94.47.
[38] See E/C.12/LIE/CO/2-3, paras. 20-21.
[39] For the relevant recommendation, see A/HRC/23/14, para. 94.61.
[40] See E/C.12/LIE/CO/2-3, paras. 24-25.
[41] For relevant recommendations, see A/HRC/23/14, paras. 94.61 and 94.69.
[42] See E/C.12/LIE/CO/2-3, paras. 18-19.
[43] For the relevant recommendation, see A/HRC/23/14 para. 94.80.
[44] See E/C.12/LIE/CO/2-3, paras. 28-29.
[45] See CAT/C/LIE/CO/4, paras. 16-17.
[46] See CCPR/C/LIE/CO/2, paras. 21-22.
[47] For relevant recommendations, see A/HRC/23/14, paras. 94.49 and 94.69.
[48] UNESCO submission, p. 3. See also A/HRC/23/14, paras. 94.49 (Azerbaijan) and 94.66 (Morocco).
[49] See E/C.12/LIE/CO/2-3, paras. 30-31.
[50] For relevant recommendations, see A/HRC/23/14, paras. 94.36-94.48, 94.50 and 94.71-94.72.
[51] See E/C.12/LIE/CO/2-3, paras. 15-16.
[52] See CAT/C/LIE/CO/4, paras. 20-21.
[53] See CCPR/C/LIE/CO/2, paras. 19-20.
[54] Ibid., para. 15.
[55] For relevant recommendations, see A/HRC/23/14, paras. 94.1-94.3, 94.8-94.10 and 94.50.
[56] See CCPR/C/LIE/CO/2, paras. 17-18.
[57] See E/C.12/LIE/CO/2-3, para. 13.
[58] See CCPR/C/LIE/CO/2, para. 18.
[59] For relevant recommendations, see A/HRC/23/14, paras. 94.50, 94.65-94.69 and 94.79-94.82.
[60] See E/C.12/LIE/CO/2-3, para. 26.
[61] See CCPR/C/LIE/CO/2, paras. 31-32.
[62] UNHCR submission, pp. 2-3. See also A/HRC/23/14/Add.1, paras., 107-108.
[63] UNHCR submission, p. 3. See also A/HRC/23/14/Add.1, paras. 107-108. See also Asylum Act, art. 83, para. 1 (a), according to which the Administrative Court decides on granting legal aid only with its decision on the substance, and art. 78, according to which discretionary decisions are only eligible to a legal review; furthermore, the provision entails restrictions regarding novation.
[64] UNHCR submission, p. 3.
[65] See follow-up letter dated 10 September 2014 from the Committee on the Elimination of Discrimination against Women to the Permanent Representative of Liechtenstein to the United Nations, available from: http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/LIE/INT_CEDAW_FUL_LIE_18182_E.pdf.
[66] UNHCR submission, p. 2. See also A/HRC/23/14/Add.1, paras. 107-108, and European Commission, "Relocation and resettlement - state of play" (28 February 2017), available from

https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20170208_factsheet_on_relocation_and_resettlement_en.pdf.

[67] UNHCR submission, p. 2. See also A/HRC/23/14/Add.1, paras. 107-108, and Asylum Act of 14 December 2011 (status as of 1 January 2017), art. 35.

[68] UNHCR submission pp. 2-3.

[69] Ibid., p. 4.

[70] See CAT/C/LIE/CO/4, paras. 20-21.

[71] UNHCR submission, p. 4.

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Summary of Stakeholders' submissions on Liechtenstein*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 2 stakeholders' submissions[1] to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations[2] and cooperation with international human rights mechanisms and bodies[3]

2. The Council of Europe (CoE) noted that Liechtenstein signed the Council of Europe Convention on preventing and Combating violence against women and domestic violence (Istanbul Convention, CETS No. 210) on 10 November 2016.[4] The European Committee of Social Rights (CoE-ECSR) reported that Liechtenstein has not yet signed nor ratified the Revised European Social Charter.[5]

B. National human rights framework[6]

3. The European Commission against Racism and Intolerance (CoE-ECRI) recommended that the Liechtenstein authorities clearly specify the respective responsibilities of the new Office for Social Affairs and of the Ombudsman's Office and that, in particular, they designate the latter as the national specialised body for combating racism and racial discrimination.[7] It encouraged the authorities to bring their reform plans to fruition as soon as possible, because CoE-ECRI considered that this recommendation has not been implemented.[8]

* The present document was not edited before being sent to United Nations translation services.

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4. The Advisory Committee on the Framework Convention for the Protection of National Minorities of CoE (CoE-ACFC) encouraged the authorities to pursue the ongoing institutional reforms and establish, without undue delay, an independent body that is comprehensively mandated with the investigation of and appropriate follow-up to all cases of discrimination through binding and enforceable decisions. It recommended amending the current legislative framework to provide comprehensive protection from all forms of discrimination and pursuing the establishment of an independent body responsible for the effective investigation of and follow-up to all cases of discrimination.[9]

5. The Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR) stated that the annual 2015 figures included 4 hate crime incidents recorded by police.[10] CoE-ACFC stated that there have been no amendments to the anti-discrimination legislation. The Equal Opportunities Office continued to be under-resourced and the implementation of the National Action Plan against Racism is incomplete.[11]

6. OSCE/ODIHR stated that Liechtenstein's Criminal Code contains a general penalty enhancement provision.[12]

7. The Group of States against Corruption (CoE-GRECO) recommended establishing a mechanism for the independent supervision of the financing of political parties and election campaigns, which would have the necessary authority and resources to ensure proper supervision, and that political parties and other election campaign participants as appropriate, be required to present periodically – and at least annually in the case of political parties – financial statements comprising adequate information for enabling proper supervision and the improved supervisory arrangements include the periodic publication of results and findings concerning individual party compliance.[13]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination[14]

8. CoE-ACFC noted that that the scarcity of complaints related to racial discrimination brought forward to the authorities does not necessarily reflect the absence of any discrimination, but may also point to a limited awareness among the public of available legal remedies, or the inapplicability of the legal framework to the actual context. CoE-ACFC considered that given the high number of foreigners residing in Liechtenstein and the particular focus placed on language abilities in the country's integration strategy, the legislative framework should be amended to comprehensively prohibit discrimination on grounds of colour, ethnic origin, citizenship, religion or language, in the public and private sectors, and in all areas, in line with ECRI's General Policy Recommendation No. 7.[15]

9. CoE-ACFC strongly encouraged the authorities to amend the current legislative framework relating to hate crime and racial discrimination in order to provide comprehensive protection from all forms of discrimination in line with ECRI standards.[16]

10. CoE-ECRI concluded that the General Policy Recommendation No. 7, has not been implemented, which recommended the authorities to abrogate provisions of the Law on Foreigners particularly Article 49 providing that a permanent residence permit can be withdrawn, inter alia, if the non-national or his/her dependant is permanently and to a high degree dependent on social welfare, the obligation of the Welfare and Article 6(8)2) (e) providing for the obligation of the Welfare Office to inform the Foreigners and Passports Office of any person receiving more than 75 000 Swiss francs in social benefits and Article 27 (3) and (4), providing that receipt of social benefits is an obstacle to securing a permanent residence permit.[17]

11. CoE-ECRI was concerned by concluding that Liechtenstein authorities, has not implemented the recommendation, they received, to ensure that issues relating to the

integration of non-nationals are addressed by the social agencies, with a clear allocation of responsibility.[19]

12. CoE-ACFC reported that the authorities have continued to pay attention to the integration of non-nationals and the promotion of tolerance and inter-cultural dialogue. A comprehensive government concept on integration was adopted in December 2010 based on the principle "Liechtenstein – Strength through Diversity".[19] In addition, CoE-ACFC recommended pursuing an open and comprehensive approach towards integration, including the promotion of equal opportunities in schools, such as through increased mother-tongue learning, and strengthening measures aimed at the promotion of tolerance and inter-cultural respect among the majority population.[20]

2. Civil and political rights

Right to life, liberty and security of the person[21]

13. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CoE-CPT) reported that a custody register no longer existed at the National Police Headquarters in Vaduz and such a register is essential in order to document the most relevant facts of a person's detention, in particular as regards the implementation in practice of the fundamental safeguards against ill-treatment.[22] CoE-CPT recommended that a custody register (electronically or on paper) be immediately re-established.[23] It noted that no allegations of ill-treatment of detained persons by staff in any of the establishments visited.[24]

14. CoE-CPT recommended that the Liechtenstein authorities amend the relevant legislation, in order to ensure that all prisoners (including those on remand) are as a rule entitled to have regular and frequent access to the telephone.[25]

15. CoE-CPT was concerned that juveniles may still be subjected to police questioning and requested to sign statements without the benefit of the presence of either a lawyer or a trusted person, and the Code of Criminal Procedure still provides for the possibility of supervising conversations between a detained person and his/her lawyer and of denying the presence of a lawyer during police questioning.[26] CoE-CPT stressed and recommended that if, exceptionally, access of a detained person to the lawyer of his/her own choice is delayed or denied, access to another, independent, lawyer who can be trusted not to jeopardise the legitimate interests of the investigation should be arranged and a fully-fledged and properly funded system of legal aid for indigent persons at the stage of police custody be developed.[27]

16. CoE-CPT stated that according to the Code on the Execution of Sentences, inmates – including juveniles – may be held in solitary confinement for disciplinary reasons for up to four weeks. CoE-CPT expressed its view that solitary confinement should not be imposed for more than 14 days (and preferably less) on adults and not at all on juveniles.[28] CoE-CPT recommended that the Liechtenstein authorities take steps to ensure that the disciplinary sanction of solitary confinement does not lead to a total prohibition of family contacts and that any restrictions on family contacts as a form of disciplinary punishment are applied only when the offence relates to such contacts.[29]

17. CoE-CPT recommended that the Liechtenstein authorities take the necessary steps to ensure that important legal safeguards (in particular, the rights to be heard in person by a judge and to request a judicial review of the placement decision, as well as the provision of an independent psychiatric expert opinion in the context of a placement procedure) are formally guaranteed to all persons who are subjected to an involuntary placement order by a Liechtenstein court and transferred to a psychiatric/social welfare establishment outside Liechtenstein.[30]

18. CoE-CPT reported that residents at St Laurentius Nursing Home could be de facto deprived of their liberty without being offered any safeguards.[31] CoE-CPT recommended that in such cases an involuntary placement procedure under the Social Welfare Act or a court procedure for appointing a guardian be initiated.[32]

19. CoE-CPT stated that the residents at St Laurentius Nursing Home were not always seen by a doctor when such measures were applied to them.[13] CoE-CPT recommended that whenever movement-restricting measures are applied without the valid consent of the resident concerned, they always be ordered or approved by a doctor after an individual assessment of the resident and a central register on movement-restricting measures be established at St Laurentius Nursing Home and, where appropriate, in other social care institutions.[14]

Administration of justice, including impunity, and the rule of law

20. CoE-GRECO recommended that the legislation be supplemented by effective, proportionate and dissuasive sanctions for various breaches of the regulations on the financing of political parties and – as the case may be – of elections campaigns and the supervisory authority be clearly allowed to forward to the prosecutorial body those cases for which there is a suspicion of a criminal offence for such purposes.[15]

Fundamental freedoms and the right to participate in public and political life[16]

21. The report from the Needs Assessment Mission (NAM) of OSCE/ODIHR noted the confidence of all its interlocutors in the integrity of the electoral process and the professionalism and impartiality of the election administration. No significant concerns were expressed with regard to the respect for fundamental freedoms, transparency of the electoral process, candidate registration, and elections day proceedings. In addition, the authorities of Liechtenstein have given consideration to the findings of the previous OSCE/ODIHR NAM report and introduced measures aimed at addressing some of the concerns raised before, such as voting rights. However, some aspects of the electoral process, in particular political party and campaign finance, could still benefit from review. Based on this assessment ODIHR did not recommend deploying any election-related activity for the 5 February 2017 parliamentary elections.[17]

22. CoE-GRECO recommended ensuring political parties in Liechtenstein take an appropriate status and legal form, which takes into account the specificities of political parties and entails the necessary legal capacity.[38]

23. CoE-GRECO recommended to introduce adequate accounting rules and forms which would clearly apply to the financing of all political parties and of election campaigns, which would take into account the various sources of income, expense, assets, debts and liabilities and accounts be properly consolidated with the inclusion of all entities which are related directly or indirectly to a political party or are otherwise under its control.[39]

24. CoE-GRECO recommended that Liechtenstein seeks ways to increase the transparency of contributions by third parties in the financing of political parties and election campaigns.[40]

25. CoE-GRECO recommended that political parties – and other campaign participants as the case maybe be - required by law, to record all forms of funding and private support with information on their nature and value, including for goods and services provided free of charge or at preferential value, as well as in respect of loans, and to introduce a general ban on donations from persons or bodies that fail to reveal their identity to the political party or candidate concerned and that the legal situation regarding funding from parliamentary groups and private support to these groups be clarified and that the financial flows concerned be properly accounted for in that context.[41]

26. CoE-GRECO recommended that measures be taken to ensure the effective, regular and timely publication of adequate financial statements concerning political parties and – as appropriate – other election campaign participants and that individual donations above a certain minimum level, together with the identity of donors, be disclosed in that context.[42]

Prohibition of all forms of slavery[37]

27. CoE noted that the process of evaluation for the first round of the Council of Europe Convention on Action against Trafficking in Human Beings will begin no later than 1 May 2018 as it entered into force in respect of Liechtenstein on 1 May 2016.[38]

3. Economic, social and cultural rights

Right to health[39]

28. CoE-CPT noted that newly-arrived inmates still did not benefit from medical screening upon their admission.[40] Therefore, CoE-CPT called upon the Liechtenstein authorities to ensure that all persons admitted to the State Prison are examined by a doctor, or by a qualified nurse reporting to a doctor, within 24 hours of their admission.[41]

4. Rights of specific persons or groups

Minorities[42]

29. European Charter for Regional or Minority Languages (CoE-ECRML) commended the Liechtenstein authorities for the commitment and European solidarity they have demonstrated by ratifying the Charter and expresses its appreciation of the valuable contribution it has made to the protection and promotion of regional or minority languages in Europe.[43]

Migrants, refugees, asylum seekers and internally displaced persons[44]

30. CoE-ACFC noted that the apparent absence of a broader policy to promote multilingualism in society, including as regards the languages of migrant communities. It also noted that while the authorities paid considerable attention to the issue of education as a tool for integration, children of migrant communities continue to be disproportionately represented in lower -level schools, which has a direct negative effect on their later achievement in the labour market. It considered that particular attention must be paid to ensuring that the effective equality of children with diverse language backgrounds in schools is enhanced through specific and targeted measures.[45]

31. CoE-ACFC indicated that that the promotion of German language knowledge remained a precondition for the issuance of permanent residence permits to any foreigner.[46]

32. CoE-ACFC was concerned by the amendments to the Law on Foreigners of March 2011, which establish non-reliance on social benefits as one of the eligibility criteria for permanent residence. The Advisory Committee considered that this regulation may discourage entitled non-nationals from applying for social benefits. It also appeared at odds with the overall aim contained in Article 6.1 of the Framework Convention of promoting mutual respect and co-operation among all persons living on the territory, irrespective of their economic situation.[47]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.
Regional intergovernmental organization(s):

CoE: The Council of Europe, Strasbourg (France).
Attachments:
(CoE-ECSR) The European Committee of Social Rights Fact Sheet;
(CoE-GRECO) The Group of States against Corruption Third Evaluation Round Report on Liechtenstein on Transparency of Party Funding;
(CoE-ECRML) European Charter for Regional or Minority Languages, Report of the Committee of Experts on the

	European Charter for Regional or Minority Languages. (CoE-ECRI) European Commission against Racism and Intolerance's Conclusions on the Implementation of the Recommendations in Respect of Liechtenstein Subject to Interim Follow-Up. (CoE-ACFC) Advisory Committee on the Framework Convention for the Protection of National Minorities, Strasbourg, Fourth Opinion on Liechtenstein. (CoE-CPT) The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment' Report on the periodic visit to Liechtenstein. (CoE-GRETA) - Group of Experts on Action against Trafficking in Human Beings.
OSCE-ODIHR	Office for Democratic Institutions and Human Rights Organization for Security and Co-operation in Europe, Warsaw (Poland). **Attachments** OSCE-ODIHR Needs Assessment Mission Report.

[1] The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

[2] For relevant para. see A/HRC/23/14, paras. 94.1-18, 31 and 83-85.
[3] CoE, p. 4.
[4] CoE-ECSR, p. 1.
[5] For relevant para. see A/HRC/23/14, paras. 94. 19-30, 51-53 and 61.
[6] CoE-ECRI, p.5, para. 1.
[7] CoE-ECRI, p.5, para. 1.
[8] CoE-ACFC, p. 7 and 8, paras. 16 and 18.
[9] OSCE/ODIHR, p. 3.
[10] CoE-ACFC, p. 3, para. 3.
[11] OSCE/ODIHR, p. 2.
[12] CoE-GRECO, p. 23, para. 64 (vi, vii).
[13] For relevant para. see, A/HRC/22/14, paras. 94.32-36, 48-49, 54-60, 62-63, 69-72.
[14] CoE-ACFC, p. 6, para. 13.
[15] CoE-ACFC, p. 7, para. 15.
[16] CoE-ECRI, p.5, para. 2.
[17] CoE-ECRI, p.5, para. 3.

[19] CoE-ACFC, p. 3, para. 2.
[20] CoE-ACFC, p. 8, para. 18.
[21] For relevant recommendations, see A/HRC/23/14, para. 94.31.
[22] CoE-CPT, p. 1.
[23] CoE-CPT, p. 1.
[24] CoE-CPT, p. 1.
[25] CoE-CPT, p. 2.
[26] CoE-CPT, p. 1.
[27] CoE-CPT, p. 1.
[28] CoE-CPT, p. 2.
[29] CoE-CPT, p. 2.
[30] CoE-CPT, p. 2.
[31] CoE-CPT, p. 3.
[32] CoE-CPT, p. 3.
[33] CoE-CPT, p. 3.
[34] CoE-CPT, p. 3.
[35] CoE-GRECO, p. 23, para. viii.
[36] For relevant para, see, A/HRC/22/14, paras. 94.64.
[37] OSCE/ODIHR, p. 1, 2.
[38] CoE-GRECO, p. 23, para. i.
[39] CoE-GRECO, p. 23, para. ii.
[40] CoE-GRECO, p. 23, para. iii.
[41] CoE-GRECO, p. 23, para. iv.
[42] CoE-GRECO, p. 23, para. v.
[43] For relevant para, see A/HRC/22/14, paras. 94.73-78.
[44] CoE, p. 3.
[45] For relevant para, see A/HRC/22/14 para. 94.80.
[46] CoE-CPT, p. 2.
[47] CoE-CPT, p. 2.
[48] For relevant para, see A/HRC/22/14 paras. 94.51-64.
[49] CoE-ECRML, p. 3.
[50] For relevant para, see A/HRC/22/14, paras. 94. 65-69, 79 and 81-82.
[51] CoE-ACFC, p. 4, para. 5.
[52] CoE-ACFC, p. 4, para. 6.
[53] CoE-ACFC, p. 5, para. 7.